

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED
for Roanoke
JUL 28 2008
JOHN F. CORCORAN, CLERK
BY: DEPUTY CLERK

In accordance with the memorandum opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that this action is **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1). Any pending motions are hereby **DENIED** as **MOOT**, and this case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and accompanying memorandum opinion to plaintiff.*

ENTER: This 28th day of July, 2008.

Senior United States District Judge

* Plaintiff is advised that he may appeal this decision pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal with this court within 30 days of the date of entry of this order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).